

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONNA MARIE ROYAL,

Defendant.

Hon. Janet T. Neff

Case No. 1:21-cr-179

ORDER

Having received the psychological evaluation and competency report submitted by Dr. Candyce Shields (ECF No. 24), the Court held a hearing on the issue of Defendant Donna Marie Royal's competency. The parties stipulated, and the Court found by a preponderance of the evidence pursuant to 18 U.S.C. § 4241, that Defendant is not competent to stand trial and to assist meaningfully in the defense of this matter. The government made an oral motion to commit Defendant to the custody of the Attorney General to attempt to restore competency. The government also moved for further evaluation of Defendant's insanity and mental responsibility at the time of the offense pursuant to 18 U.S.C. § 4242(a). As such, as required by statute, the Court shall commit Defendant to the custody of the Attorney General for treatment to attempt to restore competency and a psychiatric evaluation on the issue of insanity at the time of the offense, but will allow self-surrender as set out below.

IT IS HEREBY ORDERED that Defendant is to self-surrender to the Bureau of Prisons as directed to be transferred to a federal medical center for further evaluation and treatment for restoration of competency pursuant to 18 U.S.C. § 4241(d) for a period not to exceed 120 days.

IT IS FURTHER ORDERED that Defendant is to report for in-patient treatment at either Pine Rest or Spectrum Health Lakeland within three days of entry of this Order. Defendant is to be housed in one of those two facilities (or an appropriate mental health facility approved by the Court in advance) to receive psychological treatment pending notification to report to the Bureau of Prisons to a designated federal medical center (or to the U.S. Marshal's Service located in the Gerald R. Ford Federal Building for transportation).

IT IS FURTHER ORDERED that defense counsel shall update the Court in advance of any contemplated release or transfer should the mental health facility in which Defendant is housed seek to release her or transfer her to a different facility. This order does not authorize Defendant's release to the community from in-patient treatment.

IT IS FURTHER ORDERED that the report of the Bureau of Prisons evaluator shall be submitted to the Court and will be filed with access restricted to the Court and the parties.

IT IS FURTHER ORDERED that, upon return of the report, a continued competency hearing shall be promptly scheduled by the Court's case manager.

IT IS FURTHER ORDERED that the professional preparing the evaluation shall make him/herself available for testimony at the competency hearing.

FINALLY, IT IS ORDERED that Pretrial Services is authorized to release any bond report(s) regarding Defendant to the Federal Bureau of Prisons.

Dated: November 30, 2021

/s/ Sally J. Berens
SALLY J. BERENS
U.S. Magistrate Judge